



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

US EPA RECORDS CENTER REGION 5



REPLY TO THE ATTENTION OF

HSRM-6J

September 14, 1993

Mr. William T. Taylor, P.E.
Associate Principal Engineer
Energy and Environment
Corporate Energy Coordinator
General Mills, Inc.
James Ford Bell Technical Center
9000 Plymouth Avenue North
Minneapolis, MN 55427

RE: General Mills/Henkel Superfund Site

Dear Mr. Taylor:

Thank you for the opportunity to meet and discuss issues important to all parties involved with the General Mills/Henkel Superfund site. I was of the opinion that the meeting was useful in understanding different perspectives and will be helpful in future discussions. One request is that in future meetings, a list of all attendees, including titles along with a detailed agenda would facilitate our discussion.

An important question was raised in regards to the status of the General Mills/Henkel site on the National Priority List (NPL) and if the site can be delisted from the NPL. Enclosed is guidance on the procedures required to delist a site from the NPL. The General Mills/Henkel groundwater pump and treatment system has not achieved the cleanup levels described in the Consent Order with the Minnesota Pollution Control Agency (MPCA) or levels acceptable to the United States Environmental Protection Agency (U.S. EPA). Therefore, delisting the General Mills/Henkel site from the NPL is not possible at this time. The site is in the long-term response (LTR) and is now part of the construction completion category on the NPL. The enclosed information will further describe this new NPL category.

From the meeting on September 1, 1993, General Mills will submit to the MPCA a list of requested changes to the present requirements. Ensuring that the pump and treatment system is preventing the groundwater plume from expanding and the water discharge is still in compliance with the discharge requirements is of the utmost importance to the U.S. EPA.

Thank you again for the opportunity to meet with you and if you have any questions on the enclosed guidance or general concerns, feel free to contact me at (312) 886-7278.

Sincerely yours,

A handwritten signature in black ink that reads "Thomas Alcamo". The signature is written in a cursive, flowing style.

Thomas Alcamo
Chemical Engineer

Enclosure

cc: Dagmar Romano, MPCA

United States
Environmental Protection
Agency

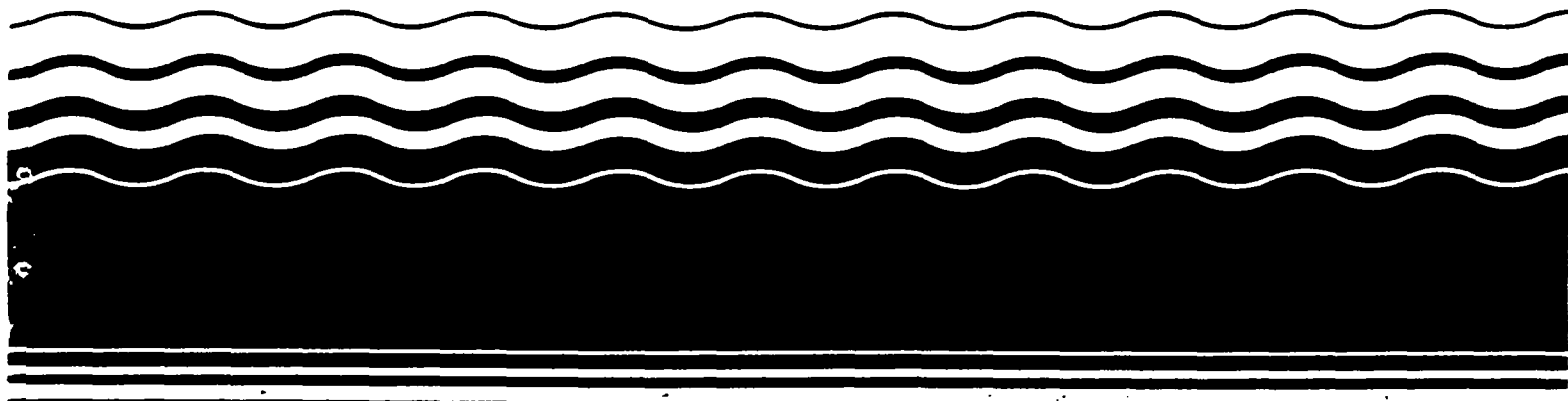
Office of Emergency and
Remedial Response
Washington DC 20460

EPA 540 G-89 002
OSWER Directive 9320 2-3A
April 1989

Superfund



Procedures for Completion and Deletion of National Priorities List Sites



EPA/540/G-89/002
OSWER Directive 9320.2-3A
April 1989

Procedures for Completion and Deletion of National Priorities List Sites

U.S. Environmental Protection Agency
Office of Emergency and Remedial Response
401 M Street, SW
Washington, D.C. 20460

NOTICE

This document has been reviewed in accordance with U.S. Environmental Protection Agency policy and approved for publication. Mention of trade names or commercial products does not constitute endorsement or recommendation for use.

—➤ Amendment 1 is an update from the December 29, 1989, OSWER Directive 9320.2-3B, page 1. See Tab V.B., Five-Year Review Update.

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1.0 INTRODUCTION

Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), requires the Environmental Protection Agency (EPA) to maintain a National Priorities List (NPL) of hazardous waste sites with known or threatened releases. The NPL identifies abandoned or uncontrolled hazardous waste sites that warrant further investigation to determine if they pose a threat to human health or the environment. Only sites on the NPL are eligible for Superfund-financed remedial action under CERCLA (removal and enforcement actions may be taken at sites that are not on the NPL). The EPA may delete a site from the NPL if it determines that no further response is required to protect human health and the environment.

This document focuses on the technical requirements that have been developed to determine completion of Superfund sites and the subsequent procedural requirements for deleting sites from the NPL. Completion requirements were developed to provide a definable endpoint to Superfund cleanup activities as well as satisfy the requirements for deletion. This guidance does not apply to proposed sites that do not get placed on the final NPL. Such sites will be handled as part of the rulemaking process for placing sites on the NPL.

Following implementation of all appropriate remedial actions, a site will be classified as either a completion or a long-term response action (LTRA). Both completions and LTRAs require that all activities identified in the Record of Decision (ROD) (or Action Memorandum for removal sites) be implemented. Remedies must be performing according to design specifications and all pathways of exposure must be addressed.

LTRAs are actions that require a continuous period of on-site activity before cleanup levels specified in the ROD or Action Memorandum are achieved. Site completion occurs at the point where cleanup levels are achieved for all pathways of exposure and no further Superfund response is required to protect human health or the environment. Protectiveness can be provided through treatment, containment or removal of waste, provision of an alternate water supply, or use of institutional controls. The activities required to achieve protectiveness for a site will be determined in the ROD. It is not necessary that all waste be treated or removed, as long as protectiveness is achieved. In cases where waste has been left on site, the five year review procedures established in Section 121(c) of CERCLA as amended by SARA will continue to be appropriate regardless of the completion

or deletion status of the site. Following site completion, it may still be necessary to perform some Operation and Maintenance (O&M) activities to maintain the integrity of the remedy. O&M must be performed by either the State or Responsible Parties (RPs).

→ Amendment 2 is an update from the December 29, 1989, OSWER Directive 9320.2-3B, page 1. See Tab V.B., Five-Year Review Update.

EPA Regions are responsible for identifying sites as completions or LTRAs. EPA Headquarters and States will be given the opportunity to comment on completion decisions through review of the Superfund Site Close Out Report described in this document.

This document is intended for use by the EPA, States and RPs in the completion and deletion of NPL sites. The roles and responsibilities of all parties are described.

2.0 SITE COMPLETION

Completion of a Superfund site will occur when the following requirements are satisfied:

- 1) Cleanup levels specified in the ROD have been achieved and all cleanup actions identified in the ROD have been successfully implemented;
- 2) The site is protective of human health and the environment across all pathways of exposure;
- 3) The constructed remedy is operational and functional and performing according to engineering design specifications; and
- 4) The only activities remaining at the site are O&M activities to be provided or performed by the State or RP.

→ Amendment 11 is an update to section 2.0 "Site Completion", page 2. See Tab V.C., Preliminary COR Update, February 19, 1992, OSWER Directive 9320.2-3C. In order to demonstrate the satisfaction of these requirements, a Superfund Site Close Out Report will be prepared for every NPL site. The format and contents of this report are discussed in Section 3.0. Site completion may occur following any of a number of activities including a final operable unit remedial action, a no-action ROD, a removal action where the removal was sufficient to meet completion requirements, or an LTRA. The Close Out Report will be prepared following conclusion of all Superfund cleanup activities.

For Federal-Lead and RP-lead sites, the Close Out Report will be prepared by the Region and approved by the Regional Administrator (RA). The State and EPA Headquarters will be given the opportunity to review and comment on the report prior to RA approval. For State-lead sites, the State may elect to prepare

the Close Out Report, however, EPA regional and headquarters review and final approval by the RA will still be required. Approval of the Close Out Report by the RA will signify Superfund site completion in accordance with the requirements specified above. Approval of the Close Out Report will also signify that the site has entered O&M. All O&M activities must be provided or performed by the State or RP. The process for reviewing a Close Out Report is illustrated in Exhibit 1.

Preparation of a Close Out Report will be appropriate for all NPL sites. The following paragraphs describe the relationship of the Close Out Report to each of the possible completion scenarios and LTRAs:

Final Operable Unit Remedial Actions

The Close Out Report will be prepared following successful implementation of the final operable unit remedial action at the site. All confirmatory sampling and any activities required to ensure the remedy is operational and functional should be completed prior to approval of the Close Out Report. A Remedial Action Report as described in the Superfund Remedial Design and Remedial Action Guidance (OSWER Directive 9355.0-4A) will be prepared by the construction management contractor following each operable unit remedial action. This report constitutes the contractor's assurance to the EPA that the work was performed to within desired specifications. It does not, however, constitute site completion. Only the Close Out Report will satisfy completion requirements and only one Close Out Report will be prepared for the entire site, regardless of the number of operable units.

— Amendment 3a is an update from the December 29, 1989, OSWER Directive 9320.2-3B, page 1. See Tab V.B., Five-Year Review Update.

No Action Sites

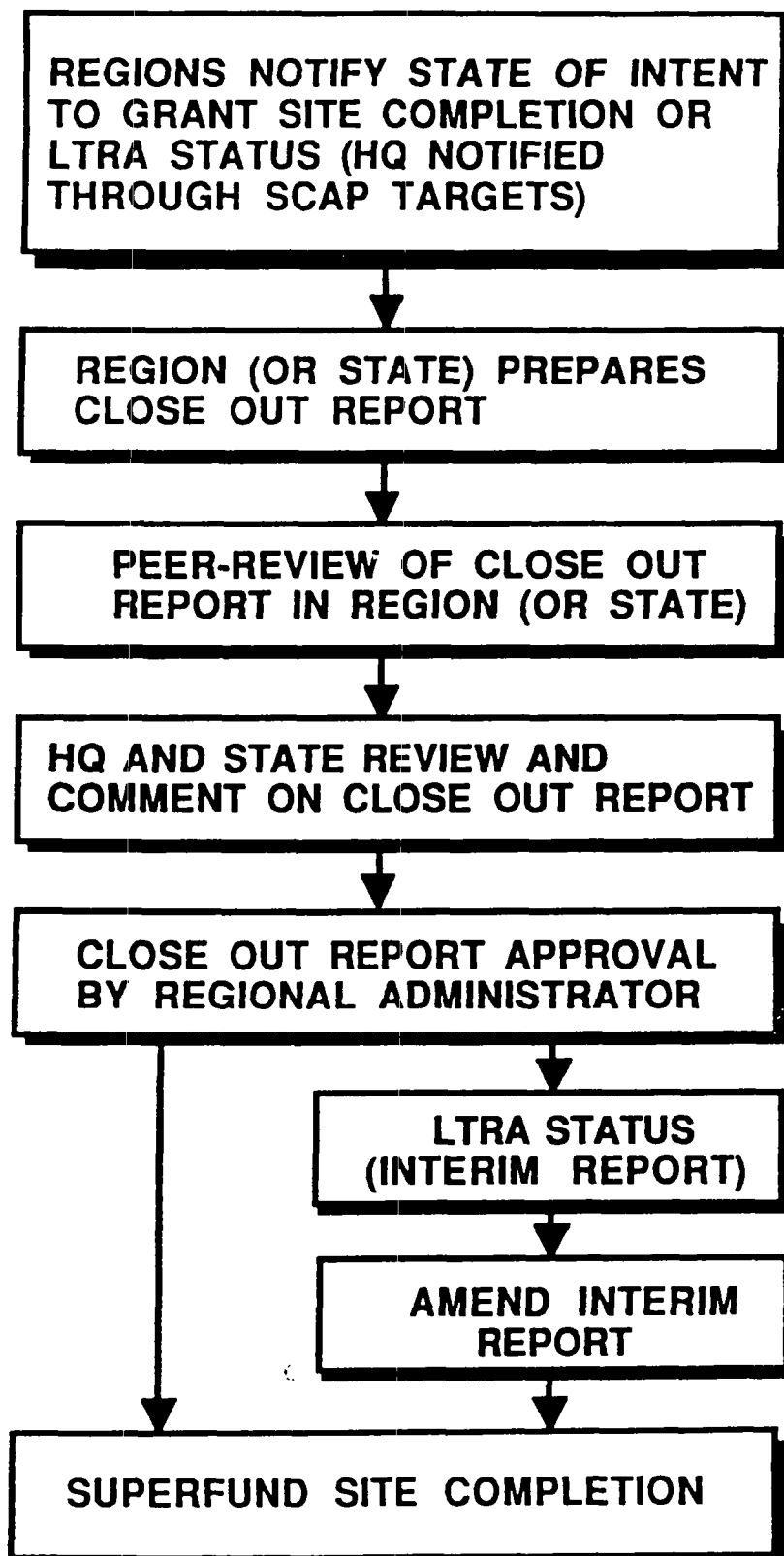
This category includes sites where first operable unit remedial actions, expedited response actions, or emergency removal actions have been performed and the final operable unit ROD determines no additional cleanup activities are required to achieve protectiveness of human health and the environment.▲ It also includes sites with RODs requiring only monitoring or institutional controls.■ The Close Out Report will provide final consolidation of the results of all site activities and ensure that all issues regarding site completion⁶ have been addressed (e.g., O&M assurances and institutional controls). Many of the components of the Close Out Report may be addressed in the ROD as part of the justification for no cleanup action. The Region may reference any pertinent information contained in the ROD to satisfy the requirements for site completion.

—▲ Amendment 3b is an update from the December 29, 1989, OSWER Directive 9320.2-3B, page 2. See Tab V.B., Five-Year Review Update.

○ Amendment 3c is an update from the December 29, 1989, OSWER Directive 9320.2-3B, page 2. See Tab V.B., Five-Year Review Update.

■ Amendment 12 is an update to section 2.0 "Site Completion", No Action Sites, page 3. See Tab V.D., No Action ROD Update, OSWER Memorandum dated February 2, 1992.

Exhibit 1. Close Out Report Review and Approval Process



It is anticipated that very few NPL sites will require no cleanup actions whatsoever. In these cases, thorough documentation of all site information will be especially important and a Close Out Report will continue to be appropriate. The Close Out Report will be abbreviated as components pertaining to cleanup activities will not be relevant.

Removal Sites

Some sites will use removal actions to perform a complete cleanup and, therefore, will not have a ROD. A Close Out Report will be required for these removal sites. The engineering evaluation and cost analysis (EE/CA) and Action Memorandum process used in performing removal actions is less exhaustive than the RI/FS and ROD prepared for remedial sites. As such, the Close Out Report will take on added significance to provide adequate documentation that the activities performed at the site are sufficient to meet the completion requirements.

In each of the cases presented above, the activities performed to bring the site to completion will vary. Appendix A presents the most likely completion process for each of the scenarios.

LTRA Sites

An Interim Close Out Report, prepared by the Region and approved by the RA, will be required of all LTRA sites. The Interim Report will contain final information for all completed operable units at the site and describe the LTRA activities to be performed and the cleanup levels to be achieved for the LTRA portion of the site. The Interim Report will act as the determining factor for designating sites as LTRAs on the NPL and for internal Superfund tracking. Once the LTRA operable unit is operating as designed, States are expected to assume responsibility for operation of the LTRA. The Interim Report will be amended when cleanup levels are achieved to include final information for the LTRA operable units of the site in order to satisfy completion requirements. The Interim Report and the amendment together will constitute the final Close Out Report for the site.

Amendment 3d supersedes the old "LTRA Sites" subsection, page 3. See Tab V.B., Five-Year Review Update, December 29, 1989 OSWER Directive 9320.2-3B, page 2.

Amendment 3e is a new section to be added following the "LTRA Sites" subsection, page 5. See Tab V.B., Five-Year Review Update, December 29, 1989, OSWER Directive 9320.2-3B, page 3.

3.0 THE CLOSE OUT REPORT

The Close Out Report provides a brief technical demonstration of how the implemented remedy at the site satisfies the completion requirements. The exact format and contents of the Close Out Report will vary depending upon the specific site. The Region should use its discretion in determining the level of detail necessary in the report to demonstrate the completion of activities at the site. The Report should be prepared by the Regional Project Manager (or appropriate State personnel) and should generally not exceed 10 to 15 pages in length (for very large sites with multiple operable units, the report may be longer). The information used in compiling the report should be readily available from previous documentation of site activities. The following components should be addressed as appropriate:

1) Summary of Site Conditions

- Site background
- RI/FS results
- ROD findings
- Design criteria
- Cleanup activities performed
- Community relations activities performed

2) Demonstration of QA/QC from Cleanup Activities

- QA/QC protocol followed
- Sampling and analysis protocol followed
- Results of on-site inspections
- Equipment Acceptance

3) Monitoring Results

- Sufficient data must be available to demonstrate that the cleanup levels specified in the ROD or Action Memorandum have been achieved and that implemented remedies are performing at design specifications.
- For no action sites, results of any monitoring specified in the ROD must be presented to satisfy completion requirements.
- This section will be contained in the amendment to the Interim Close Out Report for any LTRA operable units.

4) Summary of Operation and Maintenance

- Assurance that O&M plans are in place and are sufficient to maintain the protectiveness of the remedy.

- Assurance that all necessary institutional controls (e.g. deed restrictions) are in place.
- Assurance that O&M activities specified for the site will be provided or performed by the State or RP.
- This section will be contained in the amendment to the Interim Close Out Report for any LTRA operable units.

5) Protectiveness

- Assurance that the implemented remedy (or no action decision) achieves the degree of cleanup or protection specified in the ROD(s) for all pathways of exposure and that no further Superfund response is appropriate in order to provide protection of human health and the environment.
- Assurance that all areas of concern described in the NPL listing have been adequately addressed.
- This section will be contained in the amendment to the Interim Close Out Report for any LTRA operable units.

6) Bibliography

- Complete citations of all referenced documents and any other documents relevant to completion of the site should be included.

Many of these sections, particularly QA/QC and monitoring results, will embody a great deal of information. The Close Out Report should only summarize this information to the degree necessary to inform the reader of the activities performed and the results achieved. Detailed technical information and data should be referenced to keep the report brief. The Close Out Report should clearly identify any issues that might be of continued concern to the Agency or the involved community and explain why these issues do not preclude the site from completion. An Example of a completed Close Out Report is presented in Appendix B.

The Close Out Report provides the only overall technical justification for site completion. As such, it must clearly demonstrate how the activities performed at the site have been sufficient to satisfy the completion requirements. Each activity performed in the cleanup process will have a specific impact on site completion. Exhibit 2 illustrates the contributions of each of these steps to the contents of the Close Out Report.

Amendment 4a is an additional component to be added to section 3.0 "The Close Out Report", page 7. See Tab V.B., Five-Year Review Update, OSWER Directive 9320.2-3B, December 29, 1989, page 4.

Exhibit 2. Contributions of Superfund Cleanup Activities to the Close Out Report

<u>CLEANUP ACTIVITY</u>	<u>CONTRIBUTION TO CLOSE OUT REPORT</u>
HRS ACTIVITY PA/SI	<ul style="list-style-type: none">• NPL Listing Criteria• Pathways of Exposure
RI/FS, EE/CA RISK ASSESSMENT	<ul style="list-style-type: none">• Site Characteristics• Site Hazards• Types, volumes of waste
RECORD OF DECISION ACTION MEMORANDUM	<ul style="list-style-type: none">• Cleanup goals• Protectiveness required• State and RP responsibilities• Community Relations activities• Compliance with CERCLA• Institutional control requirements
REMEDIAL DESIGN	<ul style="list-style-type: none">• Performance criteria• QA/QC requirements• O&M Plan• Performance criteria• Compliance with intent of ROD
REMEDIAL ACTION REMOVAL ACTION EXPEDITED RESPONSE	<ul style="list-style-type: none">• Activities performed• Construction inspection results• QA/QC results• Confirmatory sampling results• Compliance with design specifications

→ Amendment 4b is an update to Exhibit 2. Contributions of Superfund Cleanup Activities to the Close Out Report, page 8. See Tab V.B., Five-Year Review Update, December 29, 1989, OSWER Directive 9320.2-3B, page 5.

The design of the remedial action will be of particular importance in determining completion of site activities. The design should develop specific performance criteria and detail specific methods and measures to be used to determine the effectiveness of the implemented remedy and compliance with the design criteria and ROD objectives. The design should also detail QA/QC requirements during construction and necessary O&M and institutional controls pertinent to effective operation of the remedy. Care should be taken during construction and monitoring activities to document the compliance with design criteria.

Regions should notify EPA Headquarters and the State of their intent to assign completion or LTRA status to sites prior to the approval of the Close Out Report. The report should receive peer-review in the Region and then be transmitted to EPA Headquarters and the State for review and comment. The Region must receive these comments prior to approval of the report by the Regional Administrator. Each region has a technical staff member within the Hazardous Site Control Division of the Office of Emergency and Remedial Response who will act as the primary reviewer of the Close Out Report. These individuals will work closely with the Region in performing completion activities and will provide prompt review of the Close Out Report. A copy of the approved Close Out Report should be sent to EPA Headquarters following RA signature.

In addition to the Close Out Report, the Region should prepare a one page fact sheet summarizing the pertinent facts of site completion to be used for public information and press release purposes. A copy of this fact sheet should be forwarded to Headquarters along with the approved Close Out Report.

The Close Out Report does not constitute the completion of cooperative agreements, consent decrees, or administrative orders, nor does it signify the resolution of all contractual or other administrative issues for Superfund activities.

4.0 NPL DELETION CRITERIA

The National Oil and Hazardous Substances Contingency Plan (NCP), Section 300.66(c)(7) states that sites may be deleted from or recategorized on the NPL where no further response is appropriate. In making this determination, EPA will consider whether any of the following criteria has been met:

- (i) EPA, in consultation with the State, has determined that responsible or other parties have implemented all appropriate response actions required;

(ii) All appropriate Fund-financed response under CERCLA has been implemented, and EPA, in consultation with the State, has determined that no further cleanup by responsible parties is appropriate; or

(iii) Based on a remedial investigation, EPA, in consultation with the State, has determined that the release poses no significant threat to public health and the environment and, therefore, taking of remedial measures is not appropriate.

→ Amendment 5 is an update to the "NPL Deletion Criteria", page 9. See Tab V.B., Five-Year Review Update, December 29, 1989, OSWER Directive 9320.2-3B, page 5.

Deletion of a site from the NPL does not preclude eligibility for subsequent Fund-financed or RP actions. Section 300.66(c)(8) of the NCP states that Fund-financed response actions may be taken at sites that have been deleted from the NPL if future conditions warrant such actions without returning the site to the NPL. If it is determined that the site should be returned to the NPL due to a threat to human health or the environment, it may be reinstated without rescoring on the Hazard Ranking System (HRS). Future enforcement actions may also be taken depending on liability releases contained in the consent decree or administrative order. Deletion of a site also does not affect cost recovery efforts under CERCLA Section 107.

→ Amendment 6a is a revision to "The Deletion Process" section, page 10. See Tab V.B., Five-Year Review Update December 29, 1989, OSWER Directive 9320.2-3B, page 5.

5.0 THE DELETION PROCESS

The deletion process may begin upon approval of the Close Out Report by the RA. No site may be deleted from the NPL without an approved Close Out Report. In some cases, the State may initiate this process by specifically requesting the deletion of a site.

The deletion process is divided into three steps as follows:

- 1) initiation of the process in which the Region obtains a letter of concurrence from the State, compiles the deletion docket, and prepares the Notice of Intent to Delete for Headquarters review and RA approval;
- 2) Regional publication of the Notice of Intent to Delete and the local notice, and 30-day public comment period; and
- 3) Regional preparation of the responsiveness summary and publication of the Notice of Deletion. Exhibit 3 illustrates the steps in the deletion process.

The Region will initiate the deletion process by consulting with the State and requesting their concurrence on the Agency's intent to delete a site. No site may be deleted from the NPL without state concurrence. Regions will prepare a deletion docket containing all pertinent information supporting the Region's deletion recommendation. The deletion docket is not a continuation of the administrative record for the site; however, documents that are contained in the administrative record can be referenced and do not have to be duplicated in the deletion docket (provided the

Exhibit 3. The Deletion Process

APPROVED CLOSE OUT REPORT

→ Amendment 6b is an update to Exhibit 3. "The Deletion Process", page 11. See Tab V.B., Five-Year Review Update December 29, 1989, OSWER Directive 9320.2-3B, page 6.

STATE LETTER OF CONCURRENCE

**PREPARE NOTICE OF INTENT TO
DELETE (HQ REVIEW) AND COMPILE
DELETION DOCKET MATERIAL**

**PLACE DELETION DOCKET
IN REGIONAL PUBLIC DOCKET
AND LOCAL REPOSITORY**

**PUBLISH NATIONAL NOTICE
OF INTENT TO DELETE IN
FEDERAL REGISTER;
PUBLISH LOCAL NOTICE OF
INTENT TO DELETE IN PAPER
OF GENERAL DISTRIBUTION**

30 DAY PUBLIC COMMENT PERIOD

**PREPARE RESPONSIVENESS
SUMMARY; PLACE IN REGIONAL
DOCKET AND LOCAL REPOSITORY**

**PUBLISH FINAL DELETION NOTICE
IN FEDERAL REGISTER**

administrative record is still available to the public). The deletion docket should be made available to the public at the Regional public docket and a local repository. The documents to be placed in the deletion docket will vary depending on the type of response (remedial action, removal action, no action) and the lead organization (Federal, State, or RP). A suggested list of documents to include in the deletion docket is as follows:

- RI Report
- FS Report
- ROD (or equivalent) for each operable unit (including any ROD amendments or Explanation of Significant Differences)
- Consent Decree
- Action Memorandum
- Community Relations Plans
- Superfund State Contract
- Cooperative Agreements
- Agreements with RPs
- Design Plans and Specifications
- Construction Inspection Reports
- Construction Final Report
- OSC Report
- Documentation of State Concurrence on Deletion
- Operation and Maintenance Plan
- Close Out Report
- Transcripts from any public meetings
- Responsiveness Summary for Notice of Intent to Delete
- Bibliography of Documents.

Before the Region publishes the Notice of Intent to Delete in the Federal Register or the local notice, the deletion docket must be complete. Regional program offices should work with their Superfund community relations staff to ensure that complete copies of the deletion docket are placed in the appropriate Regional and local repositories. The public will have an opportunity to review this docket during the 30 day public comment period that follows publication of the Notices of Intent to Delete. Public meetings are optional.

Site-specific information contained in the Notice of Intent to Delete should be largely available from the Close Out Report. The Notice of Intent to Delete will contain the following Sections:

SUMMARY: Announcement of intent to delete.

DATES: Announces 30 day public comment period and provides dates for submittal of comments.

ADDRESSES: Name, address, and phone number of a Regional contact where comments may be sent and location of the Regional Docket and local repository.

FOR FURTHER INFORMATION CONTACT: Name, address, and phone number of a Regional contact for further information or questions.

SUPPLEMENTARY INFORMATION:

- I. **Introduction:** identification of site(s) to be deleted, and summary of information contained in the Notice of Intent to Delete.
- II. **NPL Deletion Criteria:** listing of the NCP criteria and a statement indicating that EPA retains the ability to use Superfund authority at a deleted site if future conditions warrant such actions (Section 300.66(c)(8) of the NCP).
- III. **Deletion Procedures:** brief description of the procedures followed to delete sites from the NPL.
- IV. **Basis for Intended Site Deletion(s):** includes a brief description of the following items:
 - Summary of site history, including location, former use, type of contaminants, date of promulgation on the NPL, and nature of site conditions resulting in inclusion on the NPL
 - Description of all response actions taken at the site, including scope of RI if applicable, general results, and conclusions regarding future performance of these actions
 - Specification of clean up standards and criteria and results of all confirmatory sampling
 - Description of the operation and maintenance procedures and the site monitoring program
 - Summary of major Superfund community relations activities
 - Summary of how the site meets the deletion criteria
 - Acknowledgement of State concurrence to delete the site.

Amendment 6d is an update to the Supplementary Information: Basis for Intended Site Deletion(s). Addition of a new bullet immediately under the description of O&M procedures, page 13. See Tab V.B., Five-Year Review Update, December 29, 1989, OSWER Directive 9320.2-3B, page 6.

An example of a National Notice of Intent to Delete is presented in Appendix C. The Region should prepare the notice in strict accordance with Federal Register requirements. Headquarters will be available to assist in the preparation and publication of these notices. The Region should allow time for headquarters review of the Notice of Intent to Delete prior to publication in the Federal Register in order to ensure consistency of notices.

The Regional Superfund Community Relations Coordinator should prepare and distribute the local Notice of Intent to Delete. This statement should be published in a local newspaper of general circulation. A press release should also be prepared and distributed to community, State, and local officials, all RPs, appropriate Federal agencies (including the Agency for Toxic Substances and Disease Registry, National Response Team, and the U.S. Coast Guard), Superfund enforcement personnel, the Office of Regional Counsel (ORC), and any local repositories. In addition, the ORC should inform the State Attorney General and other interested agencies (State or Federal Courts and the U.S. Department of Justice) of the intended deletion.

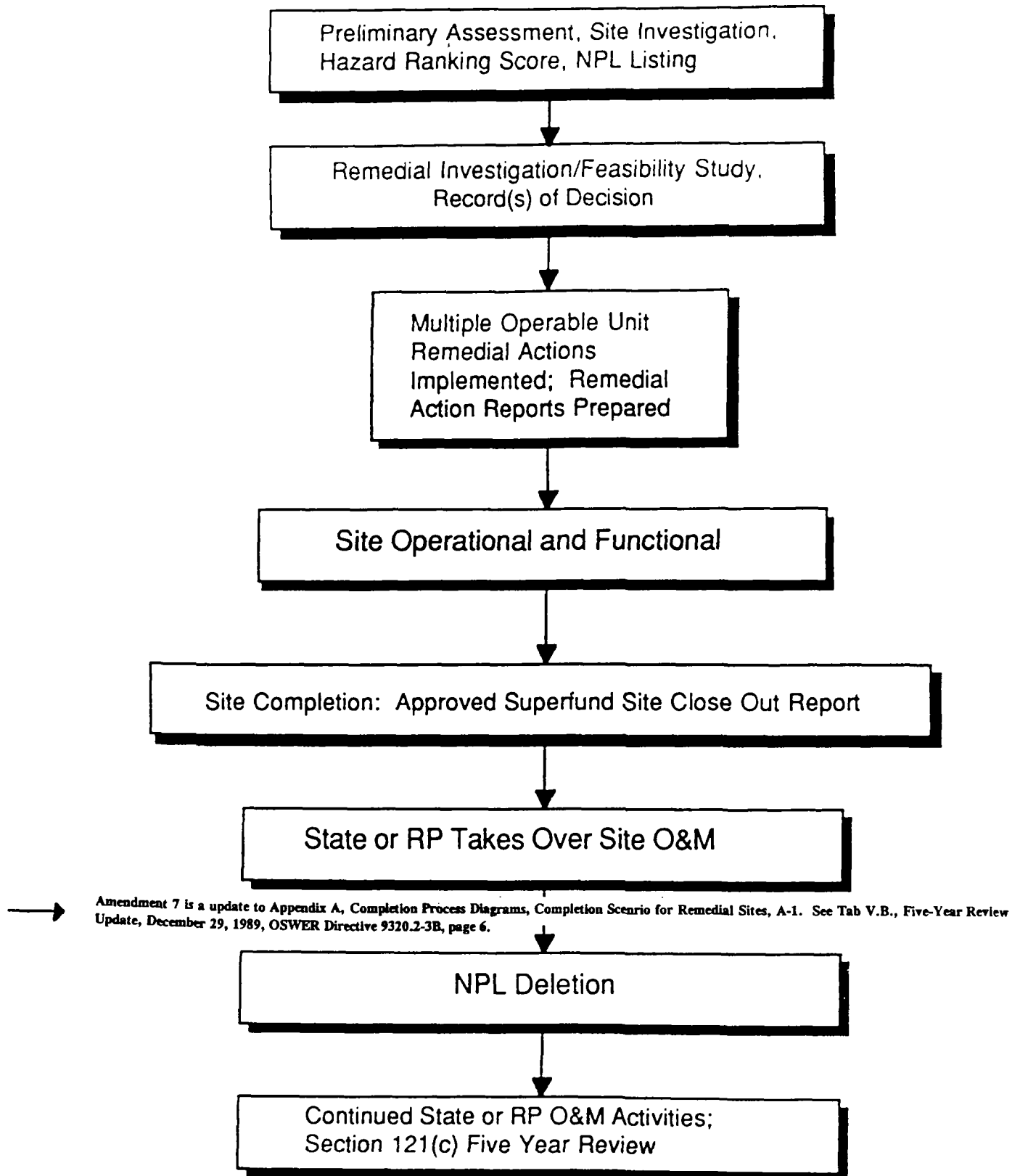
The local notice should announce the Agency's intent to delete the site from the NPL. It should also announce the 30 day public comment period, provide an address and telephone number for submission of comments, and identify the location of the local repository. A sample local notice is provided in Appendix D.

The Region is responsible for preparing a responsiveness summary of local and national comments. The responsiveness summary should provide a summary of all comments received during the public comment period along with detailed responses. Headquarters will assist the Region in preparing responses where appropriate.

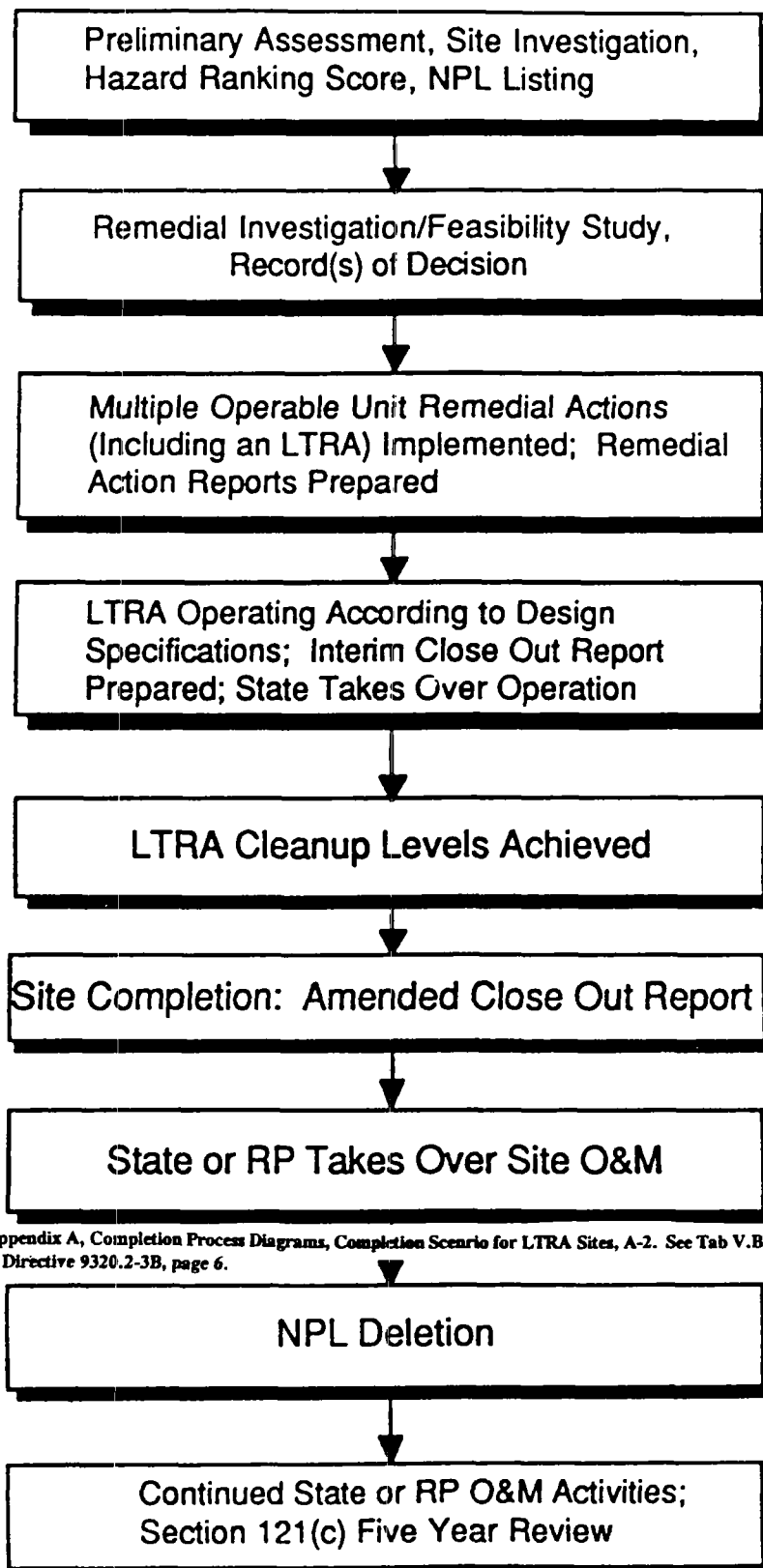
The Region must include a copy of the responsiveness summary, approved by the RA, in the Regional public docket and local repository. The RA will then publish the Notice of Deletion in the Federal Register. Final NPL rulemakings subsequent to the publication of this notice will reflect the deletion. A sample Notice of Deletion is presented in Appendix E.

Appendix A
Completion Process Diagrams

Completion Scenario for Remedial Sites

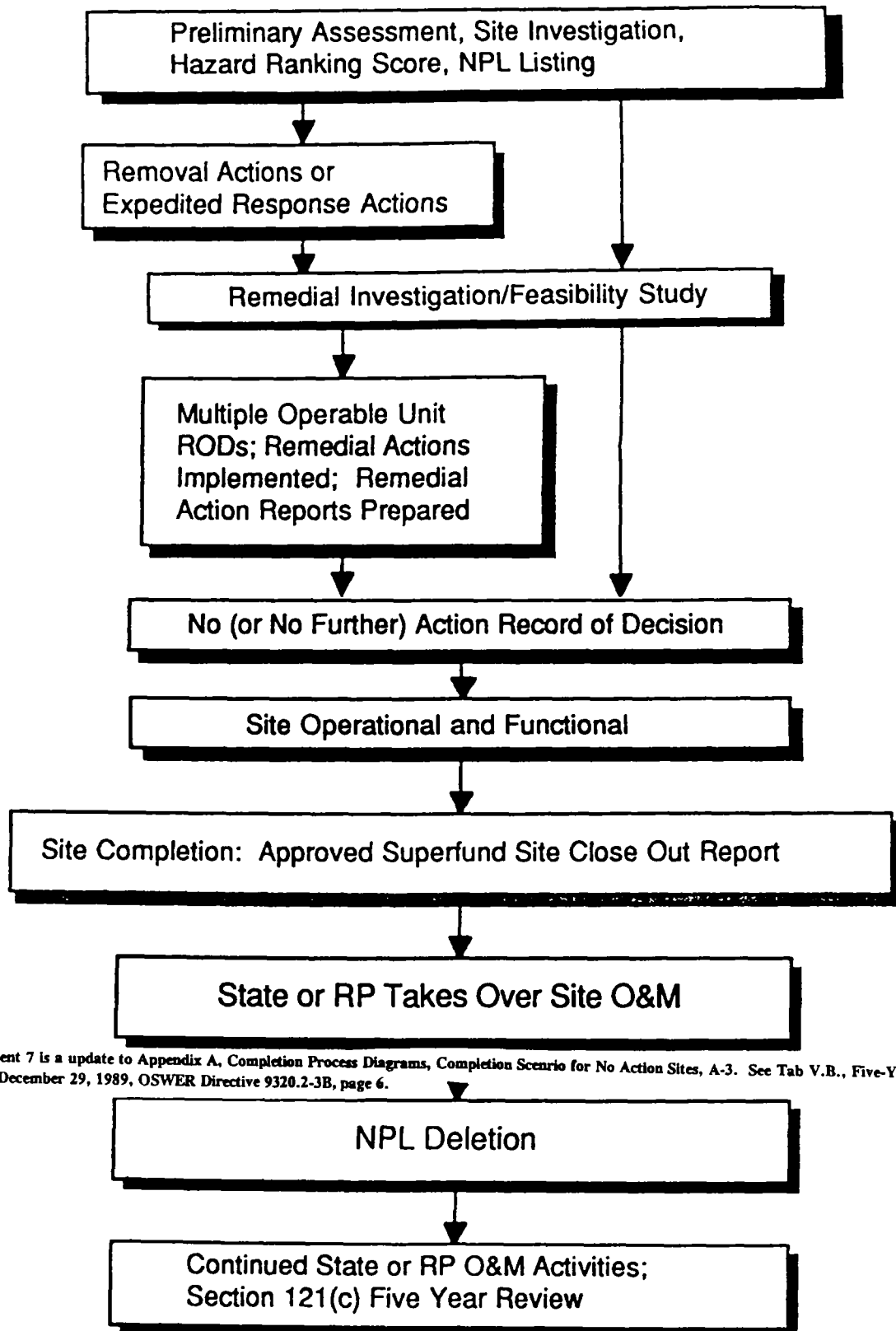


Completion Scenario for LTRA Sites



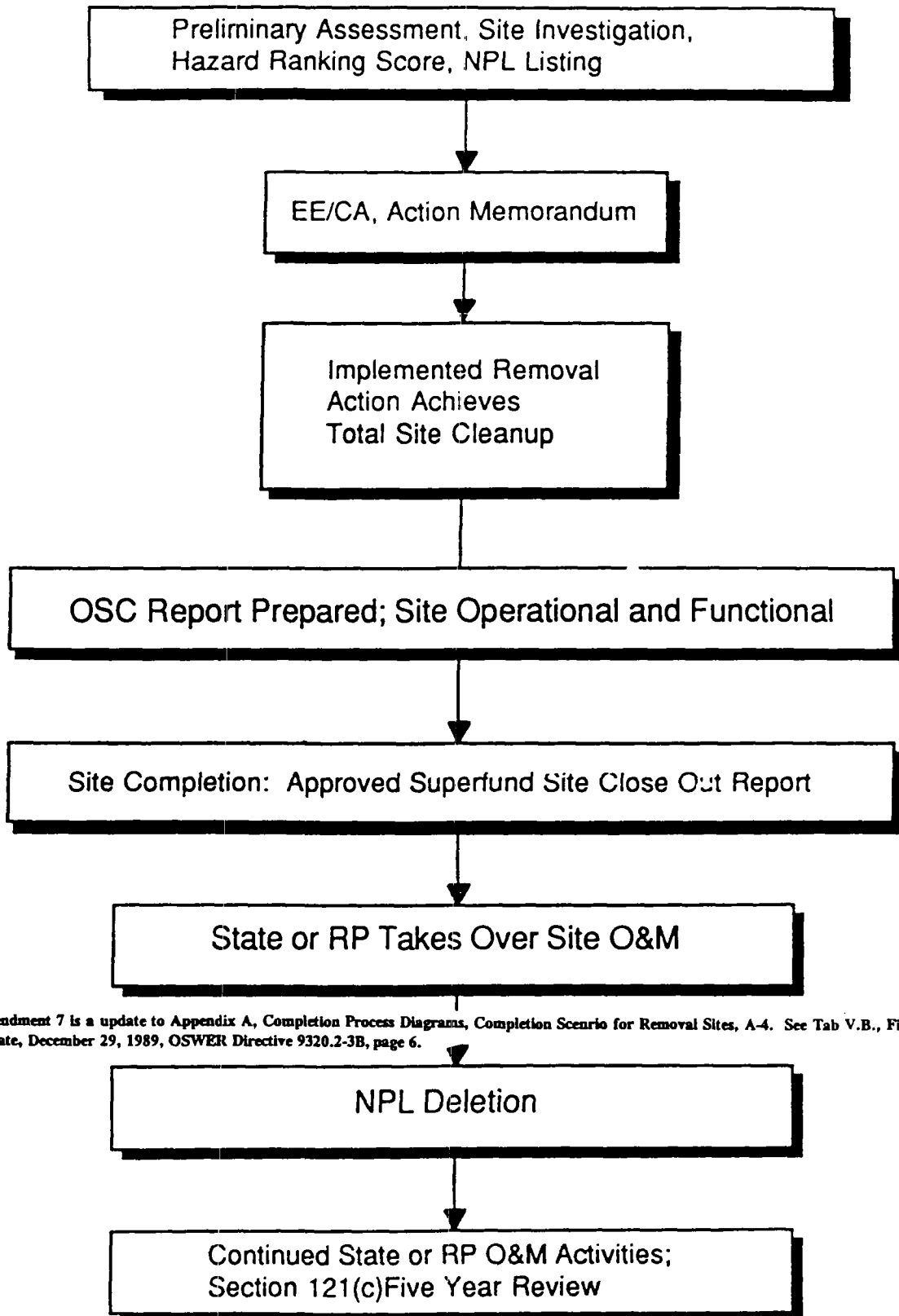
Amendment 7 is a update to Appendix A, Completion Process Diagrams, Completion Scenario for LTRA Sites, A-2. See Tab V.B., Five-Year Review Update, December 29, 1989, OSWER Directive 9320.2-3B, page 6.

Completion Scenario for No Action Sites



Amendment 7 is a update to Appendix A, Completion Process Diagrams, Completion Scenario for No Action Sites, A-3. See Tab V.B., Five-Year Review Update, December 29, 1989, OSWER Directive 9320.2-3B, page 6.

Completion Scenario for Removal Sites



Amendment 7 is a update to Appendix A, Completion Process Diagrams, Completion Scenario for Removal Sites, A-4. See Tab V.B., Five-Year Review Update, December 29, 1989, OSWER Directive 9320.2-3B, page 6.

Appendix B

Sample Close Out Report

Appendix C

Sample Notice of Intent to Delete

**National Oil and Hazardous
Substances Pollution Contingency Plan
National Priorities List**

AGENCY: Environmental Protection Agency

ACTION: Notice of Intent to Delete Kryswaty Farm site from the National Priorities List: Request for Comments.

SUMMARY: The Environmental Protection Agency (EPA) Region II announces its intent to delete the Kryswaty Farm site from the National Priorities List (NPL) and requests public comment on this action. The NPL constitutes Appendix B to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended. EPA and the State of New Jersey have determined that all appropriate CERCLA have been implemented and that no further cleanup by responsible parties is appropriate. Moreover, EPA and the State have determined that remedial activities conducted at the site to date have been protective of public health, welfare, and the environment.

DATES: Comments concerning this site may be submitted on or before .

ADDRESSES: Comments may be mailed to:

Stephen D. Luftig, Director
Emergency and Remedial Response Division
U. S. Environmental Protection Agency, Region II
26 Federal Plaza
New York, NY 10278

Comprehensive information on this site is available through the EPA Region II public docket, which is located at EPA's Region II office and is available for viewing by appointment only from 9:00 a.m. to 4:00 p.m., Monday through Friday, excluding holidays. Requests for appointments or copies of the background information from the Regional public docket should be directed to the EPA Region II docket office.

The address for the Regional docket office is:

Mr. Richard Wice
U. S. Environmental Protection Agency, Region II
26 Federal Plaza, Room 711
New York, NY 10278
(212) 264-1870

Background information from the Regional public docket is also available for viewing at the Kryswaty Farm site information repository located with:

Mr. Glenn Belnay, Health Officer
Hillsborough Township Health Department
330 Amwell Road
Neshanic, NJ 08853

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Wice
U. S. Environmental Protection Agency, Region II
26 Federal Plaza, Room 711
New York, NY 10278
(212) 264-1870

SUPPLEMENTARY INFORMATION:

Table of Contents:

- I. Introduction
- II. NPL Deletion Criteria
- III. Deletion Procedures
- IV. Basis for Intended Site Deletions

I. Introduction

The Environmental Protection Agency (EPA) Region II announces its intent to delete the Kryswaty Farm site, Hillsborough Township, New Jersey, from the National Priorities List (NPL), which constitutes Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), and requests comments on this deletion. The EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment and maintains the NPL as the list of those sites. Sites on the NPL may be the subject of remedial actions financed by the Hazardous Substance Superfund Response Trust Fund (Fund). Pursuant to Section 300.66(c)(8) of the NCP, any site deleted from the NPL remains eligible for Fund-financed remedial actions if conditions at the site warrant such action.

The EPA will accept comments concerning this site for thirty days after publication of this notice in the Federal Register.

Section II of this notice explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is using for this action. Section IV discusses how the site meets the deletion criteria.

II. NPL Deletion Criteria

The NCP establishes the criteria that the Agency uses to delete sites from the NPL. In accordance with 40 CFR Section 300.66 (c) (7), sites may be deleted from the NPL where no further response is appropriate. In making this determination, EPA will consider whether any of the following criteria have been met:

(i) EPA, in consultation with the State, has determined that responsible or other parties have implemented all appropriate response actions required; or

(ii) All appropriate Fund-financed responses under CERCLA have been implemented and EPA, in consultation with the State, has determined that no further cleanup by responsible parties is appropriate; or

(iii) Based on a remedial investigation, EPA, in consultation with the State, has determined that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate.

9a. 

III. Deletion Procedures

In the NPL rulemaking published on October 15, 1984 (49 FR 40320), the Agency solicited and received comments on whether the notice of comment procedures followed for adding sites to the NPL should also be used before sites are deleted. Comments were also received in response to the amendments to the NCP proposed on February 12, 1985 (50 FR 5862). Deletion of sites from the NPL does not itself create, alter, or revoke any individual's rights or obligations. The NPL is designed primarily for informational purposes and to assist Agency management.

EPA Region II will accept and evaluate public comments before making a final decision to delete. The Agency believes that deletion procedures should focus on notice and comment at the local level. Comments from the local community may be the most pertinent to deletion decisions. The following procedures were used for the intended deletion of this state:

9b. 

1. EPA Region II has recommended deletion and has prepared the relevant documents.
2. The State of New Jersey has concurred with the deletion decision.
3. Concurrent with this National Notice of Intent to Delete, a local notice has been published in local newspapers and has been distributed to appropriate federal, state and local officials, and other interested parties. This local notice announces a thirty (30) day public comment period on the deletion package, which starts two weeks from the date of the notice, , and will conclude on .
4. The Region has made all relevant documents available in the Regional Office and local site information repository.

Amendment 9a is an update to Appendix C, "Sample Notice of Intent to Delete", page C-3. See Tab V.B., Five-Year Review Update, December 29, 1989, OSWER Directive 9320.2-3B, page 7.

Amendment 9b is an update to Appendix C, "Sample Notice of Intent to Delete", page C-3. See Tab V.B., Five-Year Review Update, December 29, 1989, OSWER Directive 9320.2-3B, page 8.

The comments received during the notice and comment period will be evaluated before the final decision to delete. The Region will prepare a Responsiveness Summary, which will address the comments received during the public comment period.

A deletion will occur after the EPA Regional Administrator places a notice in the Federal Register. The NPL will reflect any deletions in the next final update. Public notices and copies of the Responsiveness Summary will be made available to local residents by Region II.

IV. Basis for Intended Site Deletion

The Kryswaty Farm site is located on a 42-acre tract of land in Hillsborough Township, Somerset County, New Jersey, near the Village of Three Bridges. The site consisted of a waste disposal area approximately one acre in size.

An estimated 500 drums of paint and dye waste sludges, waste oils, and various other waste materials were allegedly dumped, crushed, and buried at the site from 1965 to 1970. Complaints from local residents of health problems and odors in their well water, coupled with an eyewitness account of the alleged waste disposal, brought the site to the attention of the local health department. The New Jersey Department of Environmental Protection (NJDEP) became aware of the site in October 1979. Since 1979, local, state, and federal officials have conducted site investigations and sampling. In 1982, the Township began to provide bottled water to nearby residents. Due to potential ground water contamination the site was proposed for inclusion on the NPL on July 23, 1982 and appeared on the final NPL on December 30, 1982.

In 1984, the EPA completed a remedial investigation and feasibility study (RI/FS). The RI/FS studied the soil, sediment, surface water, a leachate seep, and ground water. Volatile organics, pesticides, base/neutral compounds and trace PCB contamination were found in the waste disposal area. On June 20, 1984, EPA signed a Record of Decision (ROD) selecting a remedy for the Kryswaty Farm site.

The ROD called for the following remedial activities at the site: excavation and removal of the waste disposal area; transport and disposal of wastes to an approved hazardous waste disposal facility; provision of a permanent alternate water supply for potentially affected residences; monitoring of on-site wells, semi-annually, for a five-year period.

The EPA community relations activities at the site included a public meeting in May 1983 to present the work plan for performing the RI/FS, and a meeting in March, 1984, to present findings of the RI/FS and the preferred alternative. Public comments were received and addressed. A major concern of the

public and local officials was the need for an alternate water supply. In July, 1984, EPA held another public meeting to discuss the selected remedial alternative, which included the alternate water supply. EPA conducted a public meeting in November 1985 to present an overview of the remedial actions, focusing on the excavation of wastes.

The remedial actions at the site began in August 1985, and were completed in January, 1986. The Elizabethtown Water Company main was extended to the affected residences and 13,763 cubic yards of contaminated soils and debris were excavated and disposed of off-site in an approved hazardous waste disposal facility. The site was backfilled with clean fill, covered with six inches of top soil, and seeded in the spring of 1986.

The Agency for Toxic Substances and Disease Registry (ATSDR) completed a health assessment for the site in September, 1986. ATSDR reviewed the residual soil data and determined that the concentrations of contaminants measured did not pose an imminent health threat via either ingestion or inhalation pathways. To ensure that the remediated area is left undisturbed, ATSDR recommended institutional controls and ground water monitoring.

The institutional controls for the site include a zoning ordinance by Hillsborough Township, which precludes land development due to the slope of the remediated area, and the mandatory water connection ordinance, which prohibits private well installation and use at the site. Both institutional controls have been implemented. A five year ground water, surface water and soil monitoring program has been implemented by the State of New Jersey to ensure that no future threats to the public health or environment exist. [That program commenced in May, 1987.]

EPA, with concurrence of the State of New Jersey, has determined that all appropriate Fund-financed responses under CERCLA at the Krysovaty Farm site have been completed, and that no further cleanup by responsible parties is appropriate.

Amendment 9c is an update to Appendix C, "Sample Notice of Intent to Delete", page C-3. See Tab V.B., Five-Year Review Update, December 29, 1989, OSWER Directive 9320.2-3B, page 8.

Date

Regional Administrator
USEPA Region II

Appendix D

Sample Local Notice of Intent to Delete

Appendix D. Sample Local Notice of Intent to Delete

**U.S. ENVIRONMENTAL PROTECTION AGENCY
Requests Comments on the Deletion
of the ABC Site, Wasteville, USA
from the National Priorities List**

The U.S. Environmental Protection Agency (EPA) announces its intent to delete the ABC Site from the National Priorities List (NPL), Appendix B of the National Oil and Hazardous Substances Contingency Plan and requests comments on this deletion. The EPA has completed cleanup activities at the site and is proposing that it be taken off the NPL. This deletion does not preclude future actions under Superfund.

The EPA, in conjunction with the state of USA, has determined that all appropriate response measures have been implemented and that no further cleanup action is required. The EPA has determined that the remedy implemented is protective of public health, welfare, and the environment.

The public is invited to comment on the proposed decision to delete this site from the NPL. The public comment period will begin on January 1, 1999 and extend for 30 days. Written comments must be postmarked no later than January 30, 1999, and should be addressed to:

**R. P. Manager, Site Project Manager
U.S. Environmental Protection Agency
Regional Office**

Oral comments will also be received through this date and should be directed to R. P. Manager at (101) 555-1212.

A local repository has been established to provide detailed information concerning this site at the following address:

**Local Town Hall
Main Street
Wasteville, USA**

Appendix E

Sample Notice of Deletion

40 CFR Part 300

National Oil and Hazardous Substances Contingency Plan; National Priorities List Update

AGENCY: Environmental Protection Agency

ACTION: Notice of Deletion of a site from the National Priorities List

SUMMARY: The Environmental Protection Agency (EPA) announces the deletion of the ABC Superfund site in Wasteville USA from the National Priorities List (NPL). The NPL is Appendix B of the National Oil and Hazardous Substances Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. EPA and the State of USA have determined that all appropriate Fund-financed responses under CERCLA have been implemented and that no further cleanup by responsible parties is appropriate. Moreover, EPA and the State of USA have determined that remedial actions conducted at the site to date have been protective of public health, welfare, and the environment.

EFFECTIVE DATE:

FOR FURTHER INFORMATION CONTACT:

R. P. Manager, Remedial Project Manager
U.S. Environmental Protection Agency
Regional Office
(101) 555-1212

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is:

ABC Site, Wasteville, USA

A Notice of Intent to Delete for this site was published August 12, 1988 (53 CFR 30452). The closing date for comments on the Notice of Intent to Delete was September 12, 1988. EPA received no comments.

The EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substance Response Trust Fund (Fund-) financed remedial actions. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 300.66(c)(8) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL.

Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

List of Subjects in 40 CFR part 300

Hazardous Waste

Part 300--[AMENDED]

1. The authority citation for Part 300 continues to read as follows:

Authority: Section 105, Pub. L. 96-510, 94 Stat. 2764, 42 U.S.C. 9605 and sec. 311(c)(2), Pub. L. 92-500 as amended, 86 Stat. 865, 33 U.S.C. 1321(c)(2); E.O. 12316, 46 FR 42237; E.O. 11735, 38 FR 21243.

Appendix B [AMENDED]

2. The NPL Part 300; Appendix B. is amended as follows

Remove:

ABC Site, Wasteville, USA

Date

Regional Administrator
USEPA Region 1



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 29 1989

OSWER Directive 9320.2-3B

MEMORANDUM

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

SUBJECT: Update to the "Procedures for Completion and Deletion of National Priorities List Sites" Guidance Document Regarding the Performance of Five-Year Reviews
(Superfund Management Review: Recommendation No. 2)

FROM: Henry L. Longest II, Director *Jim Hiller (for)*
Office of Emergency and Remedial Response

Bruce M. Diamond, Director *BMD*
Office of Waste Programs Enforcement

TO: Director, Waste Management Division
Regions I, IV, V, VII, and VIII
Director, Emergency and Remedial Response Division
Region II
Director, Hazardous Waste Management Division
Regions III, VI, and IX
Director, Hazardous Waste Division
Region X

PURPOSE

This memorandum incorporates into the "Procedures for Completion and Deletion of National Priorities List Sites" guidance document (OSWER Directive 9320.2-3A) EPA's policy to conduct at least one Five-Year Review prior to deleting sites from the National Priorities List (NPL). This memorandum: (1) implements Recommendation No. 2 contained in the Administrator's Management Review; (2) is a necessary follow-up to the October 30, 1989 Jonathan Cannon, Acting Assistant Administrator, policy directive to EPA Regional Administrators which explains which sites will require five-year reviews, and how the policy will affect deletions; and (3) identifies how EPA will administratively amend the deletion process to account for this policy directive.

BACKGROUND

On October 30, 1989, the Acting Assistant Administrator for the Office of Solid Waste and Emergency Response (OSWER) issued a policy directive concerning the performance of CERCLA 121(c) Five-year reviews and the relationship of such reviews to the deletion of sites from the NPL. This policy directive noted that EPA will ensure that five-year reviews are conducted for all remedial actions which result in hazardous substances, pollutants, or

contaminants remaining at the site above levels that allow for unlimited use and unrestricted exposure. This means that EPA will conduct reviews of a remedial action unless the site has been cleaned to at least health-protective levels and such levels allow for unlimited use and unrestricted exposure. Consequently, EPA will conduct five-year reviews of all remedies requiring any access or land-use restrictions or control, including remedies that attain health-protective levels for the current use, but which include restrictions on activities due to limits on exposure. Reviews will begin no more than five years after the initiation of a remedial action. The directive set out the policy that a site subject to five-year reviews should generally not be deleted from the NPL until at least one such review has been conducted following completion of all remedial actions at a site (except operation and maintenance).

Although SARA provides that CERCLA Section 121 (including 121 (c)) applies only to actions resulting from RODs signed post-SARA, the policy directive also notes that EPA believes as a matter of policy that it would be inappropriate to distinguish between pre- and post-SARA RODs in determining whether to conduct five-year reviews. Furthermore, also as a matter of policy, EPA will examine previously deleted sites to assess the appropriateness of conducting five-year reviews for those remedial actions which result in hazardous substances, pollutants, or contaminants remaining above levels that allow for unlimited use and unrestricted exposure. The purpose of such an examination would be to determine whether such remedies remain protective.

EPA is also currently developing guidance on the nature and extent of five-year reviews. EPA will revise and reissue the guidance on deletion/completion of NPL sites upon the issuance of the guidance on five-year reviews, which is expected in 1990.

IMPLEMENTATION

The following update of the April 1989 OSWER Directive 9320.2-3A, "Procedures for Completion and Deletion of NPL Sites", provides the administrative requirements which should be followed prior to deletion of sites from the NPL as a result of EPA's October 30, 1989 Five-Year Review policy directive. Effective immediately, these procedures should be followed for all sites affected by the Five-Year Review policy. Any questions regarding the attached update may be directed to Ed Hanlon of OSWER's Hazardous Site Control Division (HSCD) at FTS: 475-9753. Until the completion/deletion guidance is fully revised and reissued, please contact Allen Dotson, HSCD, at FTS: 382-5755, to determine the current policy on five-year reviews.

Attachment

CC: Regional Superfund Branch Chiefs
Offices of Regional Counsel - Regional Branch Chiefs

Attachment

12/29/89 Amendment to the April 1989 OSWER Directive 9320.2-3A,
"Procedures for Completion and Deletion of
National Priorities List Sites (NPL)"

1. Disclaimer, "Notice," Amendment:

- a) Page ii. Add the following as the second paragraph:

"The policies set out in this memorandum are intended solely for the guidance of Government personnel. They are not intended, nor can they be relied upon, to create any rights enforceable by any party in litigation with the United States. EPA officials may decide to follow the guidance provided in this memorandum, or to act at variance with the guidance, based on an analysis of specific site circumstances. The Agency also reserves the right to change this guidance at any time without public notice."

2. Chapter 1, "Introduction," Amendment:

- a) Page 2. Add the following as the fifth paragraph under Introduction:

"EPA will ensure that five-year reviews are conducted at all sites at which a selected remedial action results in hazardous substances, pollutants, or contaminants remaining at a site above levels that allow for unlimited use and unrestricted exposure. EPA will generally not delete a site for which five-year reviews are required until one such review has been conducted following completion of all remedial actions at a site (except operation and maintenance). EPA Headquarters also intends to revise and reissue this guidance (OSWER Directive 9320.2-3A, as amended December 29, 1989) when the final policy on when and how to conduct five-year reviews is released. Until the reissuance of this completion/deletion guidance, EPA Regions should consult with EPA Headquarter's Hazardous Site Control Division to determine when and how the five-year reviews should be considered and conducted."

3. Chapter 2, "Site Completion," Amendments:

- a) Page 3. Add the following as the second paragraph under the sub-heading: "Final Operable Unit Remedial Actions":

"For Fund-financed remedial actions, the lead and support agencies should conduct a joint inspection at the conclusion of construction of the remedial action and concur through a joint memorandum that (a) the remedy has been constructed in accordance with the ROD and with the remedial design, and (b) a period for evaluating the operation of the remedy commences at that time, and should continue until the completion of any activities necessary to ensure that the remedy is fully operational and functional. Once the remedy is considered operational and functional by the party contracting for construction, a Remedial Action Report should be prepared by the party contracting for construction to officially provide its assurance that the work was performed within desired specifications, and is considered operational and functional. The lead and support agencies should then conduct a joint inspection and execute a joint memorandum accepting the Remedial Action Report."

- b) Page 3. Change the second sentence under the subheading "No Action Sites" as follows:

"It does not include sites with RODs requiring only monitoring or institutional controls; these types of sites will be considered "Limited Action Sites" which will require five-year reviews to ensure protection of human health and the environment".

- c) Page 3. Add the following to the third sentence under the subheading "No Action Sites":

"...have been addressed (e.g., O&M assurances, need for five-year reviews, and institutional controls)."

- d) Page 5. The following new text will supersede the old text of the "LTRA Sites" subsection:

"Long Term Response Action (LTRA) Sites

An "Interim Close Out Report for LTRA Sites", prepared by the Region and approved by the RA, will be required of all LTRA sites. This report will contain final information for all completed operable units at the site and describe the LTRA activities to be performed, the cleanup levels to be achieved for the LTRA portion of the site, and any five-year review responsibilities (as discussed in the next section). This report will act as the determining factor for designating sites as LTRAs on the NPL and for internal Superfund tracking. In addition, once a ground or surface water restoration LTRA operable unit is operating

as designed, States may assume responsibility for operation of the LTRA.

The "Interim Close Out Report for LTRA Sites" will be amended when cleanup levels are achieved to include final information for the LTRA operable units of the site in order to satisfy completion requirements. The "Interim Close Out Report for LTRA Sites" and the amendment together will constitute the final Close Out Report for the site. The LTRA site will then be recategorized on the NPL as either a "Site Awaiting Deletion" or a "Five-Year Review Site"

- e) Page 5. The following new text will be added as a separate subsection after the "LTRA Sites" subsection:

"Five-Year Review Sites

An "Interim Close Out Report for Five-Year Review Sites", prepared by the Region and approved by the RA, will be required of all Five-Year Review sites (this may incorporate by reference interim or final Close Out Reports already prepared). This report will contain final information for all completed operable units at the site and describe the Five-Year Review activities to be performed. This report will also act as the determining factor for designating sites as Five-Year Review sites on the NPL and for internal Superfund tracking. This report will be amended when at least one five-year review has been conducted following the completion of the remedial action (except operation and maintenance), and any appropriate actions have been taken to ensure that the site remains protective of human health and the environment. The "Interim Close Out Report for Five-Year Review Sites", and the amendment, together will constitute the final Close Out Report for the site. States may conduct five-year reviews under/pursuant to Cooperative Agreements or Superfund State Contracts with EPA, and submit five-year review reports to EPA.

For LTRA's such as bioremediation, flushing, and groundwater pump and treat where health-based levels may not be achieved on site for an extended period of time during and/or after site remediation, EPA will conduct five-year reviews from the date on which the first contract is awarded for work to install, construct, or implement the LTRA operable unit. Even at sites that are expected to achieve health-based levels at the completion of remedial action, EPA will, as a matter of policy, assure the conduct of five-year reviews when the remedial action will require more than five years to complete.

An Interim Close Out Report for Five Year Review Sites would be required, for example, for a landfill closure site which is not an LTRA site. However, one Interim Close Out Report may be prepared for those sites which are designated both as an LTRA as well as a five-year review site. In these cases, the Interim Close Out Report will be amended twice, as follows: (a) when at least one five-year review has been conducted following the completion of the remedial action (except operation and maintenance), and any appropriate actions have been taken to ensure that the site remains protective of human health and the environment; and (b) when the LTRA cleanup levels are achieved, to include final information for the LTRA operable units of the site in order to satisfy completion requirements."

4. Chapter 3, "The Close Out Report," Amendments:

- a) Page 7. Add the following separate category (as component 6) to the listed components which are necessary to be addressed in the Close Out Report:

"6) Five-Year Review

- o Statement explaining: (a) that at least one five-year review has been conducted following completion of all remedial actions at the site (except operation and maintenance), and that any appropriate actions have been taken to ensure that the site remains protective of human health and the environment; or (b) why no five-year review was required. (EPA Headquarters will revise and reissue this completion/deletion guidance when the final policy on when and how to conduct five-year reviews is released. Until the reissuance of this guidance, EPA Regions should consult with EPA Headquarter's Hazardous Site Control Division to identify when and how the five-year reviews should be considered and conducted.)
- o Assurance that, where appropriate, an acceptable and detailed workplan is in place for the performance of future five-year reviews, and is sufficient to determine whether the protectiveness of the remedy(s) for each operable unit, and of the site as a whole, is maintained. (A five-year review workplan may be incorporated into the operation and maintenance assurance agreements and workplans.)

- b) Page 8, Exhibit 2. Add the following item to the "Contribution to Close-Out Report" section across from the "Remedial Action" cleanup activity:

"o Five-year review plan, where appropriate"

5. Chapter 4, "NPL Deletion Criteria," Amendment:

- a) Page 10. Add the following paragraphs after the third deletion criteria:

"In addition to the above, for all remedial actions which result in hazardous substances, pollutants, or contaminants remaining at the site above levels that allow for unlimited use and unrestricted exposure, it is EPA's policy that sites should generally not be deleted from the NPL until at least one five-year review has been conducted following completion of all remedial actions at a site (except operation and maintenance), any appropriate actions have been taken to ensure that the site remains protective of public health and the environment, and the site meets EPA's deletion criteria as outlined above. EPA must also assure that five-year reviews will continue to be conducted at the site until no hazardous substances, pollutants, or contaminants remain above levels that allow for unlimited use and unrestricted exposure. States may conduct five-year reviews under/pursuant to Cooperative Agreements or Superfund State Contracts with EPA, and submit five-year review reports to EPA.

An exception to this requirement involves situations where a Consent Decree contained language specifically committing EPA to delete a site from the NPL upon completion of certain response activities. In such cases, EPA Regions must consult with EPA Headquarters prior to initiation of any deletion activities. However, such an exception would apply only to the general policy of not deleting sites before completion of the first five-year review, not to the requirement to conduct reviews. EPA would still need to assure that five-year reviews will be conducted at the site. Given the October 30, 1989 policy directive from the Acting Assistant Administrator for OSWER regarding the performance of five-year reviews and their relationship to the deletion process, Consent Decrees should now require one five-year review following the completion of the remedial action (except operation and maintenance) before deletion."

6. Chapter 5, "The Deletion Process," Amendments:

- a) Page 10. Revise the first sentence of the first paragraph as follows:

"The deletion process may begin after approval of the Close Out Report by the RA, and after RA and/or the State's approval of at least one five-year review at those sites which require five-year reviews."

- b) Page 11, Exhibit 3. Add the following step immediately under the "Approved Close Out Report" step:

"Where Appropriate, Conduct At Least One Five-Year Review"

- c) Page 12. Add the following immediately under "Close Out Report" in the suggested list of documents for the deletion docket:

"Initial Five-Year Review report, where appropriate"

- d) Page 13. Add the following separate bullet item to the "Supplementary Information: Item IV - Basis for Intended Site Deletion(s)" section, immediately under the description of O&M procedures:

"Description of the results of the initial five-year review, where appropriate, as well as reasoning for the need for future five-year reviews, and plans for performance of such reviews, in accordance with EPA's requirements for protectiveness at the time of each future review."

7. Appendix A. "Completion Process Diagrams," Amendment:

- a) Pages A-1 through A-4. Add the following immediately above the "NPL Deletion" item in the "Completion Scenario" charts for Remedial Sites, LTRA Sites, No Action Sites, and Removal Sites:

"Where Appropriate, Conduct At Least One Five-Year Review"

8. Appendix B. "Sample Close Out Report," Amendment:

- a) Page B-6. Add the following separate chapter, as the new Chapter V, prior to the "PROTECTIVENESS" Chapter, to provide a summary of the Five-Year Review which, if appropriate, was conducted, and what actions, if any, were taken as a result of that Review, as follows:

"V. SUMMARY OF FIVE YEAR REVIEW STATUS

Consistent with the requirements of the October 30, 1989 policy directive from the Acting Assistant Administrator for OSWER which describes EPA's general policy of not deleting sites before completion of the

first five year review following completion of all remedial actions at a site (except operation and maintenance), a five year review was completed and signed by the EPA Region IX Office on _____. Based on the findings of this five year review, EPA and the State of California have determined that all remedial actions conducted at the site remain protective of public health, welfare, and the environment.

EPA Region IX entered into a Superfund State Contract with the State of California on _____ to assure the performance of future five-year reviews at this site by the State. An acceptable and detailed workplan is in place for the performance of future five-year reviews. This workplan has been incorporated into the operation and maintenance plan already in place. If necessary, it will be revised at the time of each five-year review."

9. Appendix C, "Sample Notice of Intent To Delete," Amendments:

- a) Page C-3. Add the following paragraphs after the third deletion criteria under Chapter II:

"In addition to the above, for all remedial actions which result in hazardous substances, pollutants, or contaminants remaining at the site above levels that allow for unlimited use and unrestricted exposure, it is EPA's policy that sites should generally not be deleted from the NPL until at least one five-year review has been conducted following completion of all remedial actions at a site (except operation and maintenance), any appropriate actions have been taken to ensure that the site remains protective of public health and the environment, and the site meets EPA's deletion criteria as outlined above. EPA must also assure that five-year reviews will continue to be conducted at the site until no hazardous substances, pollutants, or contaminants remain above levels that allow for unlimited use and unrestricted exposure. States may conduct five-year reviews under/pursuant to Cooperative Agreements or Superfund State Contracts with EPA, and submit five-year review reports to EPA.

An exception to this requirement involves situations where a Consent Decree contained language specifically committing EPA to delete a site from the NPL upon completion of certain response activities. In such cases, EPA Regions must consult with EPA Headquarters prior to initiation of any deletion activities. However, such an exception would apply only to the general policy of not deleting sites before completion of the first five-year review, not to the requirement to conduct

reviews. EPA would still need to assure that five-year reviews will be conducted at the site. Given the October 30, 1989 policy directive from the Acting Assistant Administrator for OSWER regarding the performance of five-year reviews and their relationship to the deletion process, Consent Decrees should now require one five-year review following completion of the remedial action (except operation and maintenance) before deletion."

- b) Page C-3. Add the following as the new procedure 1. under Chapter III:

"1. EPA Region II entered into a Superfund State Contract with the State of New Jersey to conduct five-year reviews at this site. New Jersey conducted the first five-year review on _____. EPA and the State find that the remedy continues to provide adequate protection of human health and the environment.

- c) Page C-5. Add the following after the sentence beginning with "A five year..." in the paragraph beginning with "The institutional controls...", and delete the existing last sentence which begins "That Program...":

"EPA Region II entered into a Superfund State Contract with the State of New Jersey to conduct five-year reviews at this site. New Jersey conducted the first five-year review on _____. EPA and the State find that the remedy continues to provide adequate protection of human health and the environment.

An acceptable and detailed workplan is in place for the performance of future five-year reviews. This workplan has been incorporated into the operation and maintenance plan already in place, and has been sufficiently prepared to allow the EPA and the State of New Jersey to determine whether the protectiveness of the remedy for the site will be maintained over time. If necessary, it will be revised at the time of each five-year review."

10. Appendix E, "Sample Notice of Deletion," Amendment:

- a) Page E-1. Change the last sentence of the SUMMARY section as follows:

"Moreover, EPA and the State of _____ have determined that remedial actions conducted at the site to date remain protective of public health, welfare, and the environment."



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

FEB 19 1992

OSWER Directive 9320.2-3C

MEMORANDUM

SUBJECT: Update No. 2 to "Procedures for Completion and Deletion of NPL Sites"

FROM: Henry L. Longest II, Director
Office of Emergency and Remedial Response

To: ADDRESSEES

PURPOSE:

The purpose of this Directive is to revise EPA guidance to clarify the distinction between the terms "site completion" and "construction completion".

BACKGROUND:

The "Procedures for Completion and Deletion of NPL Sites," April 1989, as updated December 1989, (OSWER Directive 9320.2-3A and 3B) sets out the process for determining and documenting site completion (i.e., the issuance of interim or final Close Out Reports (COR)). The National Contingency Plan (NCP) preamble (55 FR 8699, March 8, 1990) discusses the inclusion of sites into a construction completion category of the National Priorities List (NPL) based on the preparation of the same interim or final COR. However, the terms "site completion" and "construction completion" were intended to have distinct meanings. This update clarifies the distinction between "construction completion" and "site completion."

The NCP preamble and the 1989 Guidance outline steps that the Agency generally takes prior to issuing a final or interim COR, marking site completion (i.e., completion of all non-operation and maintenance (O&M) activities). Although these steps are important to ensure long-term protectiveness and will be conducted as a part of site completion activities, many of these steps (e.g., a joint inspection by EPA and the State, EPA's approval of the O&M work plan, completion of the operational and functional (O&F) or "shakedown/warranty" phase, establishment of

institutional controls) do not relate to the completion of physical construction at the site. Indeed the NCP regulations specifically contemplate that a number of site completion checkpoints occur after construction completion (see, e.g., 40 CFR 300.435(f)(2), "A remedy becomes Operational and Functional either one year after construction is complete, or when the remedy is determined concurrently by EPA and the State to be functioning properly and is performing as designed, whichever is earlier. EPA may grant extensions to the one-year period, as appropriate."). EPA believes that it is important to clarify the use of the term "construction completion"; through public reporting of sites where construction activities have been completed, EPA can better communicate the progress of NPL response actions.

In order to document the determination that construction is complete and implement a recommendation contained in the "Superfund 30-Day Task Force Report," EPA is establishing a Preliminary COR. This determination is of limited legal or financial significance, as it does not relate to satisfying contractual or other requirements (e.g., cleanup contract, consent decree, cooperative or interagency agreement), nor the eligibility of cost reimbursement from the Fund. Accordingly, the Preliminary COR will contain a schedule for the Region to satisfy the NCP and other procedural requirements necessary to issue a Final COR or Interim COR (for long-term response actions).

This definition of a Preliminary COR in no way decreases EPA's commitment to expeditiously completing all necessary site response, including the preparation of a final COR or interim COR if necessary, and other steps necessary to satisfy the NCP requirements and Agency guidance. It simply establishes a mechanism for documenting a point in the process at which physical construction has been completed.

IMPLEMENTATION:

Effective immediately, EPA Regions will report construction completion for Fund- and enforcement-lead sites upon satisfaction of the following steps:

1. **Pre-final inspection** - conducted by the lead agency (and the support agency where practicable) to determine that the contractor(s) has constructed the remedy in accordance with design plans and specifications. Output(s): A letter from the party that contracted for the response action asserting that physical construction is complete, and a punch list of minor items to be corrected by the contractor.

designated a release as its highest priority."

Name: Section 300.425(d)(6). Construction Completion category on the National Priorities List.

Proposed rule: EPA proposed to establish a new "category" as part of the NPL—the "Construction Completion" category (see 53 FR 51415). The category would consist of: (a) Sites awaiting deletion, (b) sites awaiting deletion but for which CERCLA section 121(c) requires reviews of the remedy no less often than five years after initiation, and (c) sites undergoing long-term remedial actions (LTRAs). EPA believes the new category would communicate more clearly to the public the status of cleanup progress among sites on the National Priorities List (NPL).

EPA would shift sites into the Construction Completion category only following approval of interim or final Close Out Reports. EPA would approve the Reports only after remedies have been implemented and are operating properly. Approval of an interim Close Out Report indicates that construction of the remedy is complete, and that it is operating properly, but that the remedy must operate for a period of time before achieving cleanup levels specified in the Record of Decision (ROD) for the site. Approval of a final (including amended) Close Out Report indicates that the remedy has achieved protectiveness levels specified in the ROD(s), and that all remedial actions are complete. The proposal also indicates that EPA believes that sites requiring five-year review under § 300.430(f)(3)(v) (renumbered as final § 300.430(f)(5)(iii)(C)) may, when appropriate, be deleted from the NPL.

Response to comments: All commenters on this policy recommended adoption of the proposal to recategorize sites. One commenter disagreed with EPA's name for the new category, stating that construction at some sites in the category would not be complete. EPA disagrees with this interpretation; as explained above, for both LTRA sites and sites awaiting deletion, construction of the remedy must be complete and operating properly before it may be placed in this new category. Another commenter interpreted EPA's proposal to mean that it would create a new status code on the NPL, rather than a new category, or subsection. EPA believes a distinct category more clearly provides remedial progress information to the public. EPA has found this to be true with regard to federal facility sites, which have been placed in a separate category of the NPL. Thus, the idea of categorizing sites on the NPL

is not a new one. Indeed, the 1985 NCP specifically afforded EPA the discretion to "re-categorize" certain types of sites (see 40 CFR 300.66(c)(7)(1985)). EPA is specifically acknowledging this discretion in final § 300.425(d)(6).

The commenter stated that EPA should seek state concurrence before placing a site under the new status. EPA disagrees that it should seek formal state concurrence to recategorize sites. Recategorization is a mechanical process and does not have regulatory significance; it is merely a better method of communicating site status to the public. Moreover, EPA will recategorize sites only on the basis of approved interim or final Close Out Reports, and states will continue to be involved in remedy inspections and review or preparation of the reports. EPA will obtain state concurrence and solicit public comments before deleting sites from the NPL, pursuant to § 300.425(e).

Another commenter supported the concept of recategorizing sites, particularly those at which only operation and maintenance remains to be conducted. However, the commenter also states that such sites could appropriately be deleted entirely from the NPL. A different commenter suggested that the Construction Completion category should exclude sites requiring only operation and maintenance and that such sites should be deleted from the NPL. EPA intends that a site requiring only operation and maintenance at the time of construction completion be recategorized as a temporary measure until the process of reviewing the site for possible deletion from the NPL has been completed.

One commenter stated that proposed § 300.430(f)(3)(v) is unclear regarding whether EPA would conduct five-year reviews at sites in certain phases of response, or having certain status vis-à-vis the NPL, i.e., sites still on the NPL, deleted sites, and sites where LTRAs are underway. The commenter went on to state that, if a five-year review indicates that additional action is required at a site that has been deleted from the NPL, EPA must clarify under what authority the action is to be conducted.

EPA will conduct five-year reviews for appropriate sites after initiation of the remedial action. Thus, reviews may be conducted during phases of the remedial action, during LTRA status, and, where appropriate, after a site has been deleted from the NPL. EPA continues to develop its policy on five-year reviews, and plans to issue further guidance on these issues. EPA has discretionary authority to take further

action at a deleted site if a review indicates that the remedy is no longer protective. CERCLA section 105(e) states that EPA may restore the site to the NPL without re-applying the Hazard Ranking System (HRS), and CERCLA section 121(c) provides that EPA may take or require action, if appropriate, following a review. Section 300.425(e)(3) again states this point, and further states that all releases deleted from the NPL are eligible for Fund-financed remedial actions should future conditions warrant such actions.

Another commenter stated that "five-year review" sites should be deleted from the NPL rather than placed in the Construction Completion category. In response, at the time of proposal, EPA announced its view that five-year review sites may be considered "sites awaiting deletion," i.e., deletion candidates. Upon consideration of the issue, EPA believes that it may generally not be appropriate to delete any of these sites before performing at least one review after completion of the remedial action. This is consistent with a recommendation of the Administrator's 90-day study of the Superfund Program, "A Management Review of the Superfund Program," and with OSWER policy.⁷

This position reflects an EPA policy decision that in most cases where hazardous substances remain after the completion of remedial action, it is appropriate to act more slowly on deleting the sites from the NPL, consistent with the concern evidenced by Congress in specifically mandating review at least every five years at such sites. This policy is also consistent with the limited purpose of the NPL as an informational list of sites at which CERCLA attention is appropriate (53 FR at 51415-16); the continued inclusion of the site on the NPL does not mean that response action will be taken at the site. See 48 FR 40658, 40659 (Sept. 8, 1983) (quoting CERCLA legislative history).

This is not inconsistent with the long-standing provision on deletion in the 1985 NCP, which provides that "sites

⁷ See "Performance of Five-Year Reviews and Their Relationship to the Deletion of Sites from the National Priorities List (NPL) (Superfund Management Review: Recommendation No. 2), Memorandum from Jonathan Z. Cannon, Acting Assistant Administrator, OSWER, to Regional Administrators (October 30, 1989); and "Update to the 'Procedures for Completion and Deletion of National Priorities List Sites'—Guidance Document Regarding the Performance of Five-Year Reviews (Superfund Management Review: Recommendation No. 2)," Memorandum from Henry L. Longest II, Director, Office of Emergency and Remedial Response, to Regional Waste Management Division Directors (OSWER Directive No. 9320.2-3B, December 29, 1989).

may be deleted from or *recategorized on the NPL where no further response is appropriate.*" 40 CFR 300.66(c)(7)(1985) (emphasis added). Thus even if no further action is planned at a five-year review site, recategorization is as appropriate a means of recognizing that status as is deletion. Further, deletion will be considered as part of the review.

EPA also does not view this policy for five-year review sites as inconsistent with EPA policy on deletions. The criteria for deletion in § 300.425(e) provide that "releases may be deleted from . . . the NPL where no further response is appropriate," thereby providing considerable flexibility to the Administrator. Further, the rule provides that EPA shall not delete a site from the NPL until the state in which the release was located has concurred, and the public has been afforded an opportunity to comment on the proposed deletion. Thus, the decision to delete is not an automatic one by EPA, but rather is decided as part of a formal public process. It is similarly important to note that a "site awaiting deletion" in the new Construction Completion category will not necessarily be deleted automatically upon recategorization.

One commenter stated that the first five-year review should not occur until five years after the operation and maintenance phase of the response action is complete. EPA disagrees with this comment; some sites will require operation and maintenance indefinitely, and thus adoption of such an approach would result in no five-year review. Further, CERCLA section 121(c) calls for reviews within five years of the "initiation"—not completion—of the remedial action. EPA is currently developing a policy regarding timing and conduct of five-year reviews.

Another commenter, though strongly favoring the creation of a new NPL category, recommended that EPA create two new categories: "remedy in long-term operation and maintenance", and "sites awaiting delisting". The commenter asserted that the public would understand such terms more easily than "Construction Completion". EPA disagrees with this comment because the phrase "long-term operation and maintenance" may cause more confusion for the public. EPA believes the commenter inadvertently confused two concepts: "operation and maintenance" and "LTRA." Many NPL sites will require operation and maintenance following deletion from the NPL in order to maintain the protectiveness of the remedy (e.g. cutting grass or maintaining monitoring wells), even though specified cleanup

standards have been achieved and criteria for deletion have been met.

An LTRA, on the other hand, is an ongoing remedial action which has not yet achieved the cleanup standards in the ROD. It too may require operation and maintenance after achieving these standards, and after deletion of the site from the NPL. EPA will place an LTRA site in the Construction Completion category based on approval of an interim Close Out Report. EPA will finalize or amend the report when the remedy has achieved cleanup levels specified in the ROD(s). The LTRA will then be categorized on the NPL as either a site awaiting deletion or a five-year review site.

To minimize public confusion and administrative burden, EPA will create at present only one new category. However, EPA plans to denote in the category whether a site is: (a) An LTRA, (b) a site awaiting deletion, or (c) a "five-year review" site awaiting review and/or deletion. (Note that LTRA sites may be placed in the five-year review category upon attainment of the final remediation goals.)

Final rule: Proposed § 300.425 is revised as follows:

1. A new section has been added to the final rule, § 300.425(d)(6), to reflect EPA's long-standing discretion to establish categories of sites on the NPL: "Releases may be categorized on the NPL when deemed appropriate by EPA."

2. In § 300.425(e)(2), the timeframe for state review of notices of intent to delete has been changed to 30 working days (see preamble to § 300.515(h)(3), "State review of EPA-lead documents)."

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 300**

(FRL-4561-5)

Notification of Policy Change; Categorization of Superfund Sites

AGENCY: Environmental Protection Agency.

ACTION: Policy change.

SUMMARY: In this document, the Environmental Protection Agency (EPA) is introducing the Superfund Construction Completion List (CCL). EPA is also categorizing or recategorizing a number of present or former National Priority List (NPL) sites on the CCL. The CCL contains 155 sites and publishes these in one place to show Superfund progress. EPA is taking this step to simplify its system of categorizing sites and to better communicate the successful completion of cleanup activities.

EFFECTIVE DATE: March 2, 1993.

FOR FURTHER INFORMATION CONTACT:

Hugo Paul Fleischman, State Requirements Section (5203G), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460; (703) 603-8769. An alternative contact is the Superfund Hotline; 1-800-424-9346 (TDD 800-553-7672), or in the Washington, DC, area, (703) 920-9810 (TDD 703-486-3323)

SUPPLEMENTARY INFORMATION:**A. Background**

The National Priorities List (NPL) is appendix B to 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). EPA promulgated the NPL pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. 9601 *et seq.*, as amended. The NCP lets EPA categorize releases on the NPL or delete sites from the NPL when such action is appropriate. This notice describes changes to the process for categorizing sites previously defined in the preamble to the 1990 revisions to the NCP (55 FR 8666, 8699-8700), and subsequent guidance (See 56 FR 66601, December 24, 1991, and OSWER Directive 9320.2-3C, February 19, 1992).

B. Notice of Policy Change**Construction Completion List Introduced**

The CCL is a compilation of sites presently or formerly on the NPL. Sites qualify for the CCL when:

(1) Any necessary physical construction is complete, whether or not final cleanup levels or other requirements have been achieved;

(2) EPA has determined that the response action should be limited to measures that do not involve construction (e.g., institutional controls); or

(3) The site qualifies for deletion from the NPL. See 40 CFR 300.425(e). Sites that have been deleted from the NPL are included on the CCL, with the year of deletion noted. However, deleted sites will not qualify for the CCL if physical construction remains to be conducted under another statutory authority.

The CCL is simply a mechanism for better communicating Superfund progress to the public. Inclusion of an NPL site on the CCL does not have any legal significance. The CCL will be published periodically in the **Federal Register**. The CCL is not a rulemaking document like the NPL, so it will not be included in the Code of Federal Regulations (CFR).

Documentation

Each site on the CCL has a preliminary, interim, or final Close Out Report (COR); a Record of Decision (ROD) requiring no further construction; or, documentation showing deletion from the NPL. A "preliminary COR" documents the completion of physical construction at a site; at these sites the final cleanup levels or other requirements specified in the ROD may not yet have been achieved. An "interim COR" documents the completion of construction and the Operational and Functional periods at long-term remedial action sites (e.g., ground water restoration actions). The interim COR is being phased out and will not be required in the future. A "final COR" documents the achievement of all cleanup levels and other requirements related to site cleanup. A ROD may be used to document construction completion when no additional response is necessary.

Routine Adjustments

Work is expected to continue at many sites on the CCL until final ROD requirements are attained and the site can be deleted from the NPL. Also, routine adjustments and modifications to a constructed remedy can be expected, but do not affect a site's status on the CCL. Examples of adjustments or modifications include the drilling of additional extraction wells, modifications to unit processes at ground water treatment plants, and

dismantling and removing on-site remediation facilities.

C. Notice of Categorization

On January 16, 1992 (57 FR 1872), EPA announced the inclusion of 25 sites in the Construction Completion category of the NPL. The CCL consists of those 25 sites, plus 130 sites added today, for a total of 155 sites. Sites added today are marked with an asterisk (*). The CCL includes 47 sites that have been deleted from the NPL.

Construction Completion List

1. A&F Material Reclaiming, Inc., Greenup, Illinois. *
2. Action Anodizing, Plating, & Polishing Corp., Copiague, New York. *
3. Adrian Municipal Well Field, Adrian, Minnesota. *
4. Advanced Micro Devices, Inc. (Building 915), Sunnyvale, California. (LTRA) *
5. Aidex Corporation, Council Bluffs, Iowa. *
6. Alpha Chemical, Galloway, Florida.
7. A.L. Taylor (Valley of Drums), Brooks, Kentucky.
8. Arkansas City Dump, Arkansas City, Kansas. *
9. Arrcom (Drexler Enterprises), Rathdrum, Idaho. *
10. Arsenic Trioxide Site, Southeastern North Dakota. *
11. Bayou Sorrel Site, Bayou Sorrel, Louisiana. *
12. Beachwood/Berkeley Wells, Berkley Township, New Jersey. (Deleted 1992) *
13. BEC Trucking, Vestal, New York. (Deleted 1992) *
14. Belvidere Municipal Landfill, Belvidere, Illinois. *
15. Big River Sand, Wichita, Kansas. (Deleted 1992)
16. BioClinical Laboratories, Inc., Bohemia, New York. *
17. Boise Cascade/Onan Corp./Medtronics, Inc., Fridley, Minnesota. *
18. Bowers Landfill, Circleville, Ohio. *
19. Brown Wood Preserving, Live Oak, Florida. *
20. Bruin Lagoon, Bruin Borough, Pennsylvania. *
21. Cannon Engineering Corporation, Bridgewater, Massachusetts. (LTRA)
22. Cecil Lindsey, Newport, Arkansas. (Deleted 1989) *
23. Celtor Chemical Works, Hoopa, California.
24. Cemetery Dump, Rose Center, Michigan.
25. Charlevoix Municipal Well, Charlevoix, Michigan. *
26. Chem-Dyne, Hamilton, Ohio. (LTRA) *
27. Chemical Metals Industries, Inc., Baltimore, Maryland. (Deleted 1982) *
28. Chemical & Minerals Reclamation, Cleveland, Ohio. (Deleted 1982) *
29. Chisman Creek, York County, Virginia. (LTRA)
30. Cimarron Mining Corp., Carrizozo, New Mexico. (LTRA) *
31. Compass Industries (Avery Drive) (once listed as Compass Industries), Tulsa, Oklahoma. *

32. Conservation Chemical Company, Kansas City, Missouri. (LTRA)
33. Cooper Road, Voorhees Township, New Jersey. (Deleted 1989) *
34. CTS Printex, Inc., Mountain View, California. (LTRA) *
35. Crystal City Airport, Crystal City, Texas.
36. Darling Hill Dump, Lyndon, Vermont. *
37. Del Norte Pesticide Storage, Crescent City, California. (LTRA) *
38. Distler Farm, Jefferson County, Kentucky. (LTRA) *
39. Eau Claire Municipal Well Field, Eau Claire, Wisconsin. (LTRA) *
40. Enterprise Avenue, Philadelphia, Pennsylvania. (Deleted 1986) *
41. Fairchild Semiconductor Corp. (South San Jose Plant) (once listed as Fairchild Camera & Instrument Corp. (South San Jose Plant)), South San Jose, California. (LTRA) *
42. Firestone Tire & Rubber Co. (Salinas Plant), Salinas, California. (LTRA) *
43. FMC Corp. (Fridley Plant), Fridley, Minnesota. (LTRA) *
44. Friedman Property (once listed as Upper Freehold site), Upper Freehold Township, New Jersey. (Deleted 1986) *
45. Fulbright Landfill, Springfield, Missouri.
46. General Mills/Henkel Corp., Minneapolis, Minnesota. (LTRA) *
47. Gold Coast Oil Corporation, Miami, Florida. (LTRA) *
48. Grand Traverse Overall Supply Co., Grailickville, Michigan. *
49. Gratiot County Golf Course, St. Louis, Michigan. (Deleted 1983) *
50. Harris (Farley Street), Houston, Texas. (Deleted 1988) *
51. Henderson Road, Upper Merion Township, Pennsylvania. (LTRA) *
52. Highlands Acid Pit, Highlands, Texas. *
53. Hydro-Flex Inc., Topeka, Kansas. *
54. IMC (Terre Haute East Plant), Terre Haute, Indiana. (Deleted 1991) *
55. Independent Nail, Beaufort, South Carolina.
56. Industrial Waste Control, Fort Smith, Arkansas. *
57. Intel Corp. (Santa Clara III), Santa Clara, California. (LTRA) *
58. Intel Magnetics, Santa Clara, California. (LTRA) *
59. Intersil Inc./Siemens Components, Cupertino, California. (LTRA) *
60. Jibboom Junkyard, Sacramento, California. (Deleted 1991) *
61. John Deere (Ottumwa Works Landfills), Ottumwa, Iowa. *
62. Johns Manville Corp., Waukegan, Illinois.
63. Johns' Sludge Pond, Wichita, Kansas. (Deleted 1992) *
64. Katonah Municipal Well, Bedford, New York. (LTRA) *
65. Krysovaty Farm, Hillsborough, New Jersey. (Deleted 1989) *
66. LaBounty Site, Charles City, Iowa.
67. Lakewood Site, Lakewood, Washington. (LTRA) *
68. Lansdowne Radiation, Lansdowne, Pennsylvania. (Deleted 1991) *
69. Lawrence Todtz Farm, Camanche, Iowa.
70. Lee's Lane Landfill, Louisville, Kentucky.
71. Leetown Pesticide, Leetown, West Virginia. *
72. Lehigh Electric & Engineering Co., Old Forge Borough, Pennsylvania. (Deleted 1986) *
73. Lehillier/Mankato Site, Lehillier/Mankato, Minnesota. (LTRA) *
74. Luminous Products, Inc., Athens, Georgia. (Deleted 1982) *
75. M&T De Lisa Landfill, Asbury Park, New Jersey. (Deleted 1991) *
76. Matthews Electroplating, Roanoke County, Virginia. (Deleted 1989) *
77. McKin Co., Gray, Maine. (LTRA) *
78. Metal Working Shop, Lake Ann, Michigan. *
79. Mid-South Wood Products, Mena, Arkansas. (LTRA)
80. Middletown Road Dump, Annapolis, Maryland. (Deleted 1988) *
81. Morris Arsenic Dump, Morris, Minnesota. (Deleted 1986) *
82. Mountain View Mobile Home Estates (once listed as Globe) Globe, Arizona. (Deleted 1988) *
83. Mowbray Engineering Company, Greenville, Alabama.
84. New Castle Spill (once listed as TRIS Spill), New Castle County, Delaware. *
85. New Castle Steel, New Castle County, Delaware. (Deleted 1989) *
86. New Lyme Landfill, New Lyme, Ohio. (LTRA) *
87. Newport Dump, Newport, Kentucky.
88. Northern Engraving Co., Sparta, Wisconsin.
89. Novaco Industries, Temperance, Michigan. *
90. Nutting Truck & Caster Co., Faribault, Minnesota. (LTRA) *
91. Old Mill (once listed as Rock Creek/Jack Webb), Rock Creek, Ohio. (LTRA)
92. Ordot Landfill, Guam. *
93. Pagano Salvage, Los Lunas, New Mexico. (Deleted 1992)
94. Parramore Surplus, Mount Pleasant, Florida. (Deleted 1989) *
95. PCB Spills, 243 miles of road, North Carolina. (Deleted 1986) *
96. PCB Warehouse, Saipan, Guam. (Deleted 1986) *
97. PCB Wastes, Pacific Trust Territory. (Deleted 1986) *
98. Pesses Chemical Co., Fort Worth, Texas. *
99. Pesticide Lab (Yakima), Yakima, Washington. *
100. Petersen Sand & Gravel, Belvidere, Illinois. (Deleted 1991) *
101. Pioneer Sand Co., Warrington, Florida. *
102. Plymouth Harbor/Cannon Engineering Corp. (once listed as Plymouth Harbor/Cordage), Plymouth, Massachusetts. *
103. Poer Farm, Zionsville, Indiana. (Deleted 1991) *
104. Pomona Oaks Residential Wells, Galloway Township, New Jersey. *
105. Presque Isle, Erie, Pennsylvania. (Deleted 1989) *
106. Reeser's Landfill, Upper Macungie Township, Pennsylvania. (Deleted 1990) *
107. Republic Steel Corp. Quarry, Elyria, Ohio. *
108. Revere Textile Prints Corps., Sterling, Connecticut. *
109. Rose Park Sludge Pit, Salt Lake City, Utah. *
110. Route 940 Drum Dump (once listed as Pocono Summit), Pocono Summit, Pennsylvania. *
111. SCRDI Dixiana, Cayce, South Carolina. (LTRA) *
112. Sealand Limited, Mount Pleasant, Delaware. *
113. Silver Mountain Mine, Loomis, Washington. *
114. Sola Optical USA, Inc., Petaluma, California. (LTRA) *
115. Spectra-Physics, Inc., Mountain View, California. (LTRA) *
116. Stewco, Inc., Waskom, Texas. *
117. Suffern Village Well Field, Suffern, New York. *
118. Suffolk City Landfill, Suffolk, Virginia. *
119. Sylvester, Nashua, New Hampshire. (LTRA) *
120. Synertek, Inc. (Building 1), Santa Clara, California. (LTRA) *
121. Taputimu Farm, Island of Tutila, American Samoa. (Deleted 1986) *
122. Taylor Borough Dump, Taylor Borough, Pennsylvania.
123. Teledyne Semiconductor, Mountain View, California. (LTRA) *
124. Toftdahl Drums, Brush Prairie, Washington. (Deleted 1988) *
125. Town Garage/Radio Beacon (once listed as Holton Circle Ground Water Contamination), Londonderry, New Hampshire. *
126. Triana/Tennessee River (once listed as Triana (Redstone) Arsenal), Limestone/Morgan, Alabama. (LTRA)
127. Triangle Chemical, Bridge City, Texas.
128. Tri-City Oil Conservationist, Inc., Tampa, Florida. (Deleted 1988) *
129. Tri-State Plating, Columbus, Indiana. (LTRA) *
130. Twin Cities Air Force Reserve Base (Small Arms Range Landfill), Minneapolis, Minnesota. *
131. Union Scrap Iron and Metal, Minneapolis, Minnesota. (Deleted 1991) *
132. United Chrome Products, Inc., Corvallis, Oregon. (LTRA)
133. Varsol Spill (once listed as part of Biscayne Aquifer), Miami, Florida. (Deleted 1988) *
134. Velsicol Chemical Corp. (Illinois), Marshall, Illinois. *
135. Vineland State School, Vineland, New Jersey. *
136. Voortman Farm, Upper Saucon Township, Pennsylvania. (Deleted 1989) *
137. Wade (ABM) (once listed as ABM-Wade), Chester, Pennsylvania. (Deleted 1989) *
138. Walcotte Chemical Co. Warehouses, Greenville, Mississippi. (Deleted 1982) *
139. Washington County Landfill, Lake Elmo, Minnesota. *
140. Wedzeb Enterprises, Lebanon, Indiana. (Deleted 1991) *
141. Western Processing Co., Inc., Kent, Washington. (LTRA)

- 142. Western Sand & Gravel, Burrillville, Rhode Island. *
- 143. Westline, Westline, Pennsylvania. (Deleted 1992)
- 144. Wheeler Pit, La Prairie Township, Wisconsin. *
- 145. Whitehall Wells, Whitehall, Michigan. (Deleted 1991) *
- 148. Whitewood Creek, Whitewood, South Dakota. *
- 147. Whittaker Corp., Minneapolis, Minnesota. (LTRA) *

- 148. Wide Beach Development, Brant, New York. *
- 149. Wildcat Landfill, Dover, Delaware. *
- 150. Wilson Concepts of Florida, Inc., Pompano Beach, Florida. *
- 151. Windom Dump, Windom, Minnesota. (LTRA) *
- 152. Witco Chemical Corp. (Oakland Plant), Oakland, New Jersey. *
- 153. Woodbury Chemical Co., Commerce City, Colorado. *
- 154. Woodbury Chemical Co. (Princeton Plant), Princeton, Florida. *

- 155. Yakima Plating Co., Yakima, Washington. *

Dated: February 17, 1993.

Richard J. Guimond,

Assistant Surgeon General, USPHS, Acting Assistant Administrator.

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